

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 2, 4, 11, 17, 18, 20, 22-24, 26, 27, 29, 30, 33, 34, 36, 38, 39, 44-46, 53, 59, 61, 63-65, 78, 79, 80, 87, 93 and 99 have been amended. These amendments are made merely for clarity. No new matter has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-107 are now pending in this application.

Substance of Interview Under 37 CFR § 1.133

The applicant's representative, Christian M. Bauer, appreciates the Examiner's time discussing the remaining rejections in the instant application. A record of that discussion is summarized below.

Provisional Double Patenting Rejection

During the telephone discussion, the Examiner informed the applicant that the Terminal Disclaimer filed with applicant's 4 May 2007 Response is sufficient to overcome the provisional double-patenting rejection as it was actually directed to U.S. Appl. No. 10/619,539, not U.S. Pat. No. 6,696,091 as asserted.

Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claim Rejections – 35 USC § 112, second paragraph

Claims 1, 2, 17, 18, 22-24, 26, 27, 29, 30, 33, 34, 36, 38, 39, 44, 45, 59, 63-65, 78, 79 and 93 have been amended for clarity by deleting the word “about” if it appears after the phrase “less than” or “greater than.”

Claims 11, 20, 53, 61, 87, and 99 have been amended for clarity and amended by removing the term “derivative.” At the request of the Examiner, the applicant has also searched the claims for the use of the term “derivative,” such as was found in claim 99, which was not included in the Examiner’s rejection.

Claim 99 is exemplary of the amendments made to claims 11, 20, 53, 61, and 87 in that claim 99 has been amended to remove the phrase “starch derivatives,” but the term “starch” has been made plural to “starches” to reflect the intention of the inventors to include various types of starch-like or starch-conjugated materials as would be understood by one of ordinary skill in the art.

Accordingly, Applicant respectfully requests that the rejection be withdrawn.

CONCLUSION

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to

charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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